

# PATENT APPLICATION

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

ATTORNEY DOCKET NO. AB-122U

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Deep Brain Stimulation System For The Treatment of Parkinson's Disease or Other Disorders

the specification of which is attached hereto unless the following box is checked:

(X) was filed on 02/12/2001 as PCT International Application

Number PCT/US01/04417 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

### Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES: NO:
			YES: NO:

### Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE
60/182,480	2/15/2000

### U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)

### POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Bryant R. Gold, Reg. No. 29715

Kenneth L. Green, Reg. No. 44724

Laura Haburay Bishop, Reg. No. 47424

### Send Correspondence to:

Bryant R. Gold  
Advanced Bionics Corporation  
12740 San Fernando Rd.  
Sylmar, CA 91342

### Direct Telephone Calls To:

Bryant R. Gold  
760-788-8138

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Paul M. Meadows

Citizenship: US

Residence: 1854 Los Encinos Avenue, Glendale, CA US 91208-2240

Post Office Address: Same

Paul M. Meadows  
Inventor's Signature

9/7/01  
Date

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION (continued)

ATTORNEY DOCKET NO. AB-122U

Full Name of Inventor: Carla M. Mann

Citizenship: US

Residence: 823 N. Mansfield, Los Angeles, CA US 90030

Post Office Address: Same

  
Inventor's Signature

9/26/01  
Date

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# **VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ( ) the owner of the small business concern identified below:  
 (X ) an official of the small business concern empowered to act on behalf of the small business concern identified below:

Name of Small Business Concern: Advanced Bionics Corporation  
 Address of Small Business Concern: 12740 San Fernando Rd.  
Sylmar, CA 91342

I hereby declare that the above identified concern qualifies as a small business concern as defined in 13 CFR 121.1301 through 121.1305, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Deep Brain Stimulation System for the Treatment of Parkinson's Disease or Other Disorders by inventor(s) Paul M. Meadows and Carla M. Mann.

- described in ( ) the specification filed herewith with title as listed above.  
 (X ) application serial no. PCT/US01/04417 filed 2/12/2001.  
 ( ) patent no. \_\_\_\_\_ issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

- (X ) No such persons, concerns, or organizations exist.  
 ( ) Persons, concerns, or organizations are listed below:

Name _____	Name _____
Address _____	Address _____
( ) Individual	( ) Individual
( ) Small Business Concern	( ) Small Business Concern
( ) Nonprofit Organization	( ) Nonprofit Organization

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Bryant R. Gold

TITLE OF PERSON IF OTHER THAN OWNER Vice President/Chief Intellectual Property Counsel

ADDRESS OF PERSON SIGNING 12740 San Fernando Rd. Sylmar, CA 91342

SIGNATURE [Signature] DATE September 13, 2001

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